

McGREGOR W. SCOTT
United States Attorney
JESSICA A. MASSEY
Assistant United States Attorney
2500 Tulare Street, Suite 4401
Fresno, CA 93721
Telephone: (559) 497-4000
Facsimile: (559) 497-4099

SEALED

Attorneys for Plaintiff
United States of America

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

LUIS NOE HERNANDEZ ROJO,

Defendant.

CASE NO. 1:21-cr-00027-NONE-SKO

MOTION AND ORDER TO SEAL
INDICTMENT

UNDER SEAL

The government moves the Court, pursuant to Rule 6(e) of the Federal Rules of Criminal Procedure, to order and direct that the Indictment returned by the Grand Jury on January 28, 2021, charging the above defendant with a violation of 21 U.S.C. § 841(a)(1), 841(b)(1)(B) – Distribution of 40 grams or more of a mixture or substance containing a detectable amount of Fentanyl (N-phenyl-N- [1- (2-phenylethyl) -4-piperidinyl] propanamide) – be kept secret until further order of the Court, but that the government be permitted to provide a copy of the indictment to the defendant.

The government's investigation into this drug trafficking organization is ongoing and has not yet resulted in the arrest of the defendant's coconspirators. The targets of the investigation are currently unaware of the government's investigation, thus allowing the government to continue its efforts. If the indictment against LUIS NOE HERNANDEZ ROJO were to become public, the government is

1 confident that the defendant's coconspirators would flee, destroy evidence, or otherwise engage in
2 activities that would have the result of thwarting the government's investigation. Therefore, the
3 government requests this indictment remain sealed and that no person shall disclose the finding of the
4 Indictment until further order of the Court.

5
6 DATED: January 28, 2021

Respectfully submitted,


7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
McGREGOR W. SCOTT
United States Attorney

By /s/ JESSICA A. MASSEY
JESSICA A. MASSEY
Assistant U.S. Attorney

[PROPOSED] ORDER

IT IS SO ORDERED.

Dated: 1/28/2021



Hon. Barbara A. McAuliffe
U.S. Magistrate Judge